

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

It is respectfully submitted that the §112 objections do not apply to these new claims.

It is noted that Claims 46 and 52 were indicated as rejected on the office action summary sheet but were never discussed in any of the rejections. Thus, it is believed that these claims were allowable.

Since Claims 46 and 52 were not rejected, and because the Examiner has not discussed silicon nitride, new claims have been amended to include these features.

It is respectfully submitted that Abouaf's prosthesis is not a surgical instrument or tool in the context of the present invention, because the discussion at page 1 reveals procedures with implants/prosthesis and situations where iron particles can be detected in periprosthetic tissue even when iron-free implants/protheses are used, which iron particles were shown to be from the tools used during surgery to implant the prosthetic device in the patient. Thus, the terms are understood to be different

With respect to Claim 58, Yoon does not disclose ceramics.

None of the cited references disclose the claimed method for cutting bone.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-CERA 233-US.

Dated: January 12, 2005

Respectfully submitted,

By 

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